

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MONICA REYES, individually,  
and as guardian and next friend,  
Jane Doe, a minor child,

Plaintiffs,

vs.

No. 2:19-cv-00601-KG-KRS

FRANK RAMOS ARIAS, and  
SILVER CITY CONSOLIDATED SCHOOLS

Defendants.

ORDER APPOINTING GUARDIAN AD LITEM

On upon the application of the Plaintiff, Monica Reyes, as guardian and next friend of Jane Doe, a minor child, for the appointment of a guardian *ad litem* to act on behalf of her minor child, Jane Doe, and the Court, having found good cause to do so,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Nicole Charlebois, Attorney at Law, shall be appointed as a guardian *ad litem* to advise the Court as to the merits of any settlement reached on behalf of the Plaintiff in her capacity as guardian and next friend the minor child and whether it is in the best interest of the minor child, Jane Doe;


IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that the guardian *ad litem* shall have the following powers:

- a. To meet with Monica Reyes and her attorney at law;
- b. To meet with Jane Doe;
- c. To conduct an independent investigation, including a review of all medical and psychological records regarding Jane Doe, if necessary, to ascertain whether the settlement reached in the above-captioned matter is in the best interest of the minor child;
- d. To meet with Jane Doe's physicians and psychologist, if appropriate;

e. To advise the Court as to how the funds should distributed in the best interest of Jane Doe.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the appointment of the guardian *ad litem* does not contemplate representation of any minor child as an advocate but only as a functionary of the Court. All immunities and privileges to the guardian *ad litem*, as articulated in the Supreme Court Case of Collins v. Tabet, 111 N.M. 391, 806 P2d. 40 (1991), shall be extended to the guardian *ad litem* in this matter.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the duties and the responsibilities of the guardian *ad litem* and her appointment shall terminate upon approval of any settlement reached in this matter.



UNITED STATES DISTRICT JUDGE

APPROVED WITH OR WITHOUT EXCEPTIONS  
DUHIGG, CRONIN, SPRING & BERLIN, P.A.

Approved electronically

David M. Berlin, Esq.

*Attorney for Plaintiff*

P.O. Box 527

Albuquerque, NM 87103

(505) 243-3751

dmberl@duhigglaw.com

HOLT MYNATT MARTINEZ, P.C.

Approved by Response filed 09/13/19

Blaine Mynatt, Esq.

*Attorney for Frank Ramos Arias*

P.O. Box 2699

Las Cruces, NM 88004

(575) 524-8812

bmt@hmm-law.com

WALZ AND ASSOCIATES, P.C.

Telephonically approved

Jerry A. Walz, Esq.

*Attorney for Silver City Consolidated Schools*

133 Eubank Blvd NE

Albuquerque, NM 87123

(505) 275-1800

jerryawalz@walzandassociates.com